

Motion by Greenfield, seconded by Loucks, to defer the funding decision for the city of Corsica's \$21,750 grant request for a restricted use site project. Motion carried.

Motion by Loucks, seconded by Greenfield, to defer the funding decision for the Johnson & Estes Company's \$460,000 loan request for a tire shredder to produce tire derived fuel. Motion carried.

Motion by Greenfield, seconded by Bollweg, to adopt Resolution #98-62 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of Lake Andes for a grant of up to 50% of the approved total project costs and not exceeding \$4,000 for a landfill closure project. Motion carried.

Motion by Kennedy, seconded by Bollweg, to adopt Resolution #98-63 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of McLaughlin for a grant of up to 50% of the approved total project costs and not exceeding \$35,000 for the construction of a solid waste transfer station. Motion carried.

Motion by Bollweg, seconded by Kennedy, to adopt Resolution #98-64 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of Mound City for a grant of up to 67.5% of the approved total project costs and not exceeding \$12,435 for a landfill cleanup and closure project. Motion carried.

Motion by Kennedy, seconded by Bollweg, to adopt Resolution #98-65 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of Platte for a grant of up to 50% of the approved total project costs and not exceeding \$6,375 for a landfill closure project. Motion carried.

Motion by Kennedy, seconded by Kleinsasser, to deny funding for the city of Rapid City Robbinsdale landfill closure project. Motion carried. Loucks cast the only dissenting vote.

Motion by Bollweg, seconded by Kennedy, to adopt Resolution #98-66 approving the South Dakota Solid Waste Management Program grant agreement between the state and Roberts County for a grant of up to 50% of the approved total project costs and not exceeding \$40,000 for a landfill building. Motion carried.

Motion by Kennedy, seconded by Greenfield, to adopt Resolution #98-67 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of Roscoe for a grant of up to 43% of the approved total project costs and not exceeding \$10,500 for construction of a restricted use site. Motion carried.

Motion by Loucks, seconded by Greenfield, to adopt Resolution #98-70 approving the South Dakota Solid Waste Management Program loan agreement between the state and the city of Vermillion for a \$150,000 loan at 3% interest for a 7-year term for balefill conversion equipment. The loan is contingent upon the city passing a resolution authorizing the sale of the bonds and it becoming effective, and contingent on the four entities involved amending the joint

powers agreement to assume the responsibility for paying their portion of the solid waste loan debt. Motion carried.

Motion by Loucks, seconded by Greenfield, to defer the funding decision on Byre Brothers, Inc.'s application for grant and loan funds for the purchase of a recycling baler. Motion carried.

Motion by Greenfield, seconded by Loucks, to defer the funding decision on Rapid Import Salvage and Towing Company's application for grant and loan funds for tire disposal in concrete blocks. Motion carried.

Motion by Greenfield, seconded by Loucks, to adopt Resolution #98-68 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of Spearfish for a grant of up to 50% of the approved total project costs and not exceeding \$12,500 for the purchase of a compost windrow turner. The grant is contingent upon receipt of letters of agreement or contracts from the participating communities. Motion carried.

Motion by Loucks, seconded by Bollweg, to deny additional funding for Tripp County, but that the county be allowed to apply the \$8,477.69 balance in existing grant funds toward the purchase of the new baler. Motion carried.

Motion by Kennedy, seconded by Bollweg, to adopt Resolution #98-69 approving the South Dakota Solid Waste Management Program grant agreement between the state and the city of Winner for a grant of up to 50% of the approved total project costs and not exceeding \$6,100 for a waste tire pile cleanup project. Motion carried.

ELECTION OF OFFICERS: Election of officers will take place at the July board meeting.

NEXT MEETING: The next meeting will be held via the Rural Development Telecommunications Network at 2:00 p.m. CDT on July 22, 1998.

WATER DEVELOPMENT DISTRICT UPDATES: Pat Cerny, Southern Missouri WDD; Jay Gilbertson, East Dakota WDD; and Dave Hauschild, Mid-Dakota WDD, reported on the activities of their respective districts.

PERKINS COUNTY: Jim Feeney reported that a Senate hearing is scheduled for July 14, 1998, on the federal authorization for Perkins County. In September 1997, the Board of Water and Natural Resources adopted a resolution in support of the Perkins County project. A letter from Chairman Lowrie has been prepared to transmit that resolution for consideration at the Senate hearing.

Board of Water and Natural Resources
June 24-25, 1998 Meeting Minutes

ADJOURN: Chairman Lowrie declared the meeting adjourned at 10:00 a.m. CDT.

Approved this 22nd day of July, 1998.

(SEAL)

Chairman, Board of Water and Natural Resources

ATTEST:

Secretary, Board of Water and Natural

BOARD OF WATER AND NATURAL RESOURCES
ATTENDANCE SHEET

DATE 6-24-98 LOCATION Matthew Training Center, Pierre

Name (PLEASE PRINT)	Address	Representing
David Ruhnke	Pierre	DENR
Dale Kennedy	Beresford	BOWNR
Don Baflinger	Harvard	DWR
Ray A. Gumpf	Smoky Lake	SD BOWNR
Jerry Klusman	Frankfurt	DENR
James Feeney	Pierre	DENR
John Lowers	Repid City	BOWNR
Earl Acheson	Chesler	E. D. W. D. D.
Rep Bill CERNY	BURKE	LEG. OVERSIGHT
David Ryan	Pierre	DENR
Pat Perry	Burke	S. M. W. D. D.
Rachel Fitch	Veblen	Veblen
Robert Fitch	VEblen	City of VEblen
Wendy Henning	NECOG-Aberdeen	NECOG
Michael Rasmussen	Union	TRWD
Joseph Hieb	Reliance	WR L. D.
Gayleen Lowe	Pierre	DENR
Morris Kirkgaard	Trent	Town Board
Lowell Christensen	Trent	Mayor
Lynne Chasny-Hall	Pierre	DENR
Heather Jones	Pierre	DENR

BOARD OF WATER AND NATURAL RESOURCES
ATTENDANCE SHEET

DATE 6-24-98

LOCATION Training Center - Pierre

Name (PLEASE PRINT)

Address

Representing

Rachel Brewster	OTTE	
Duane Johnson	Ventnor	District III
Jim Wendte	Pierre	DENR
Mike Perkowski	"	"
Laurie Gates	"	DENR
Jim Anderson	"	"
Kurt Pfeifle	Miller, SD	Mid-Dak. RWS
Kyith Gestrings	Pierre	DENR
Robert W. Tegner	GROTON, SD	NEW DEAL TIRE
Opal Himmennit	Roscoe, SD	City of Roscoe
Deane Reidt	Roscoe S.D.	City of Roscoe
Phyllis Packard	Vermillion, S.D.	City of Vermillion
Terry Helms	Aberdeen SD	Helms & Assoc.
Tom Stork	Kadoka	G.B.R.D.P.
Martin D. Mickelson	MB City	City of MB City
John C. Lewis	Mound City	City of Mound City
Joe Heichtnam	Box 102/Presho	Tripp Co. Recycling
Nicole Westdhuus	PO Box 236 Platte	City of Platte
Kenneth E. Friedman	P.O. Box 175 Platte	C. Ty Cook of Platte
Scott D. Moore	215 Walnut Center	City of Platte
Larry J. Holton	112 E Oak St.	Sisseton

BOARD OF WATER AND NATURAL RESOURCES
ATTENDANCE SHEET

DATE 6-25-98

LOCATION Training Center- Pierre

Name (PLEASE PRINT)

Address

Representing

TRUMAN M. NELSON

Sisseton

Roberts Co Commis.

GREG PALMER

Rapid City

QUICKWOOD

Candyn Grantman

Rapid City

Landfill Supt - City of Rapid City

Jerry Klimm

Frankfort

DENR

JOHN L. LUCKS

Rapid City

LEG. OVERSIGHT

JOHN C. C. C.

Brooks

Leg. Oversight

GREG PALMER

Rapid City

QUICK

JOHN HERRING

Aberdeen

NECOC

Terry Helms

Aberdeen

Helms & Assoc.

Heather Jones

Pierre

DENR

Jim Wendte

"

"

Lynne Chashtuck

Pierre

DENR

Bill Hosen

Brookings

EDWARD

Gayleen Lowe

Pierre

DENR

Phyllis Packard

Vermillion

City/Vermillion

Dave Rahnke

Pierre

DENR



**BOARD OF MINERALS
AND ENVIRONMENT**

523 EAST CAPITOL AVENUE
PIERRE, SOUTH DAKOTA 57501-3181
(605) 773-3151 FAX: (605) 773-6035

A G E N D A

Meeting of the
Board of Minerals and Environment
Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota



May 20, 21 and 22, 1998

Wednesday, May 20, 1998 - 10:00 a.m. CDT

1. Call to order and roll call.
2. Approval of minutes from April 16, 1998 meeting.
3. 10:00 a.m. - Surface mining issues (bond releases, transfer of surety, etc.).
4. 10:15 a.m. - Contested case hearing in the matter of Wharf Resources' large scale mine permit for the Clinton Expansion Project.
5. Lunch break to be determined by hearing chairman.
6. 5:30 p.m. - Adjournment.

Thursday, May 21, 1998 - 9:00 a.m. CDT

1. 9:00 a.m. - Continuation of Wharf Resources contested case hearing.
2. Lunch break to be determined by hearing chairman.
3. 5:30 p.m. - Adjournment.

Friday, May 22, 1998 - 9:00 a.m. CDT - only if agenda has not been completed by adjournment on Thursday

1. 9:00 a.m. - Continuation of Wharf Resources contested case hearing.
2. Lunch break to be determined by hearing chairman.
3. 2:00 p.m. - Other items of business.
4. 3:00 p.m. - Adjournment.

Note: Scheduled times are estimates only. Some agenda items may be delayed due to prior agenda items, while other items that have not been public noticed or advertised may be moved up on the agenda.

South Dakota Board of Minerals & Environment**May 20, 1998**

Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
Transfer of Liability & Release of Surety:					
Roland & Tim Odland Redfield, SD	96-595	\$1,000	13243	First National Bank, Pierre	Transfer liability to Mike Ford. Release \$1,000.
	S1/2 Section 3; T115N-R64W, Spink				
Transfer to:					
Mike Ford Redfield, SD	98-639	\$1,000	15842	First National Bank, Pierre	
Release of Liability:					
Brownlee Construction Watertown, SD	89-393	\$8,000	54-40062	United Fire & Casualty Company	Release liability.
	W1/2 SW1/4 Section 27; T116N-R52W, Codington E1/2 Section 36; T118N-R55W, Codington				
Mehlhauff Construction Kaylor, SD	83-218	\$1,500 \$2,000	22646 25591	Farmers State Bank, Parkston	Release liability.
	W1/2 SW1/4 Section 1; T99N-R59W, Hutchinson				
Dan L. Meyers Huron, SD	83-176	\$1,000 \$2,000	088345 088351	Commercial Trust & Savings Bank, Huron	Release liability.
	SE1/4 Section 34; T111N-R62W, Beadle				
Meade County Highway Department Sturgis, SD	83-113	EXEMPT	NA	NA	Release liability.
	S1/2 S1/2 Section 34; T6N-R7E & N1/2 Section 3; T5N-R7E, Meade				

South Dakota Board of Minerals & Environment**May 20, 1998**

Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
Exchanges of Surety:					
Clair Bonebright Wessington Springs, SD	92-439	\$1,500	4893	First State Bank, Miller	Exchange CD No. 4893 for CD No. 6311, First State Bank, Miller, in the amount of \$1,500.
Darrell's Rock, Sand, & Gravel, Inc. Wessington Springs, SD	86-320	\$1,000 \$500 \$500 \$500	17268 18613 10399 9642	American State Bank, Wessington Springs	Exchange CD Nos. 17268, 18613, 10399, and 9642 for Surety No. 159127241, Continental Casualty Company, in the amount of \$3,500.
Acceptance of Surety Riders:					
Brownlee Construction Inc. Watertown, SD	89-393	\$8,000	54-40062	United Fire & Casualty Company	Accept rider removing legal descriptions of: E1/2 Section 36; T118N-R55W, Codington and W1/2 Section 27; T116N-R52W, Codington.
Colton Redi-Mix Colton, SD	83-245	\$3,000	58012893	Western Surety Company	Accept rider removing legal description of: E1/2 Section 29; T103N-R51W, Minnehaha.
Darrell's Rock, Sand & Gravel, Inc. Wessington Springs, SD	86-320	\$3,500	159127241	Continental Casualty Company	Accept rider adding legal description of: NW1/4 Section 35; T111N-R64W, Beadle and increasing surety to \$4,500.
Harold Kinyon Plankinton, SD	87-352	\$2,500	55-112418	United Fire & Casualty Company	Accept rider adding legal description of: SW1/4 Section 11; T104N-R63W, Aurora.
Lien Transportation Company Aberdeen, SD	84-257	\$10,000	0350-13-130370	Employers Insurance of Wausau A Mutual Company	Accept rider adding legal description of: NW1/4 Section 29; T124N-R63W, Brown and changing surety number to 0350-13-130378.

South Dakota Board of Minerals & Environment***May 20, 1998***

Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
<i>Application for Mine Permit:</i>					
Wharf Resources Lead, SD		\$4,113,000			Recommend conditional approval.
		Sections 25, 26, 35, and 36; T5N-R2E and Sections 1 and 2; T4N-R2E, Lawrence			

Minutes of the
Board of Minerals and Environment Meeting
Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota

April 16, 1998
10:00 a.m. CDT

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Chairman Richard C. Sweetman. Chairman Sweetman appointed Kathy Johnson as secretary pro tem. Ms. Johnson noted that a quorum was present.

BOARD MEMBERS PRESENT: Richard C. Sweetman, Lee McCahren, Kathy Johnson, Wilbert Blumhardt, Linda Hilde, and Pat Healy.

BOARD MEMBERS ABSENT: Chuck Monson and Brian Radke.

OTHERS PRESENT: See attached attendance sheet.

APPROVAL OF MINUTES FROM JANUARY 14, 1998, MEETING: Motion by Johnson, seconded by Hilde, to approve the minutes from the January 14, 1998, Board of Minerals and Environment meeting, as mailed. Motion carried.

PRESENTATION OF 1997 SUMMARY OF THE MINING INDUSTRY IN SOUTH DAKOTA: Mike Cepak distributed copies of the document entitled *Summary of the Mining Industry in South Dakota, 1997* which was prepared by Eric Holm, DENR Minerals and Mining Program.

RECLAMATION BOND FORFEITURE FOR EXPLORATION PERMIT EXNI-338, GRAND JUNCTION MINE, INTERNATIONAL ROSE QUARTZ & MINERALS, INC.: Mike Cepak was administered the oath. He testified that International Rose Quartz as granted an exploration permit, EXNI-338, on November 27, 1991. The EXNI covered one site, the Grand Junction Mine, in Custer County. The site is generally located six miles northwest of Custer, South Dakota. This exploration permit authorized the mining of bulk sample quartz for the Grand Junction Mine. Mr. Cepak stated that to guarantee reclamation for the mine, International Rose Quartz submitted a certificate of deposit with Bank IV, Lenexa, Kansas in the amount of \$3,500.

International Rose Quartz was issued a Notice of Violation and Order on April 13, 1993, for failure to submit the required annual report. The Notice of Violation and Order were received by International Rose Quartz on April 19, 1983. International Rose Quartz did not respond to the Order within 30 days as required, and EXNI-338 was revoked on May 19, 1983. Mr. Cepak stated that upon information and belief, International Rose Quartz is bankrupt, and no longer qualified to do business in South Dakota.

International Rose Quartz did not complete reclamation on the site as required by SDCL 45-6C. Mr. Cepak noted that about two acres of affected land needs reclamation. The site consists of three small pits with connecting access roads or trails. Reclamation work would include regrading, filling a small pit, reclaiming an access road, and revegetating. Mr. Cepak noted that the pit areas have no topsoil since this is a quartz outcrop.

A copy of the petition for surety forfeiture and notice of hearing was served by first class mail on International Rose Quartz on January 13, 1998. The letter was returned as undeliverable. No response was received from International Rose Quartz and no one from the company was in attendance at today's hearing.

Mr. Cepak stated that pursuant to SDCL 45-6C-23, the reclamation surety is conditioned upon the operator's faithful performance of all requirements of Chapter 45-6C, including reclamation on a timely basis. Since International Rose Quartz did not complete reclamation of the Grand Junction Mine affected by its exploration activities as required by Chapter 45-6C, the department recommended that the board order that the certificate of deposit held as reclamation bond in support of EXNI-338 be forfeited for failure to reclaim land affected by exploration activities at the Grand Junction Mine. The department also recommended that it redeem the certificate of deposit from Bank IV, Lenexa, Kansas consistent with the order and that the proceeds from the certificate of deposit be deposited in the Mined Land Reclamation Fund for performance of reclamation activities at the Grand Junction Mine.

Mr. Cepak distributed copies of the proposed order and recommended board approval. He answered questions from the board.

Mr. Sweetman pointed out that on the first page of the order, the date of the hearing should be changed to April 16, 1998.

Motion by Hilde, seconded by Blumhardt, to adopt the Order in the matter of forfeiture of Reclamation Bond No. 020001091249 Bank IV, Lenexa, Kansas, issued for Exploration Notice of Intent No. 338, International Rose Quartz and Minerals, Inc. Motion carried.

ORAL REPORTS BY LARGE SCALE GOLD MINING COMPANIES: Representatives from the following large scale gold mining companies provided oral presentations of their annual reports to the board.

Golden Reward Mining Company - Tim Thomure
Wharf Resources - Kim Schultz
LAC Minerals - Todd Duex
Homestake Mining Company - Phil Barnes and John Scheetz
Brohm Mining Corporation - Simon Bell and Randy Beck
Naneco Minerals - Jean Miller (via conference call)
Dakota Placers - Bert Rowe (via conference call)

SURFACE MINING ISSUES: Mike Cepak testified regarding release of liability and surety, transfer of liability, exchanges of surety, and acceptance of surety riders (see attached matrix sheet).

Motion by Johnson, seconded by Hilde, to approve release of liability and \$500 for RA&S Contracting Company, Inc., Custer, SD, Mine License No. 85-300, one site in Pennington County; transfer liability and release \$2,000 for Blum, Inc., Osseo, MN, Mine License No. 87-342, Fall River County, to Northern Con-Agg, Inc., Plymouth, MN, Mine License No. 87-359; transfer of liability from Northern Con-Agg, Inc., Plymouth, MN, Mine License No. 87-359, Codington County, to Albin Stromseth dba Stromseth Construction, Watertown, SD, Mine License No. 90-414; release of liability for L.G. Everist, Inc. & Subsidiaries, Sioux Falls, SD, Mine License No. 83-37, Clay County; release of liability for Faber Construction, Brookings, SD, Mine License No. 83-106, Moody County; release of liability for Fisher Sand & Gravel Co., Dickinson, ND, Mine License No. 83-54, Hughes County; release of liability for Morris, Inc., Pierre, SD, Mine License No. 83-2, Hughes County; release of liability for DOT-Aberdeen Region, Aberdeen, SD, Mine License No. 83-10, Codington County; release of liability for Haakon County Highway Department, Philip, SD, Mine License No. 83-40, three sites in Haakon County. Motion carried.

Motion by Blumhardt, seconded by Healy, to approve the following exchanges of surety: Donald Boyden dba Boyden Trucking, Platte, SD, Mine License No. 85-313, exchange Surety No. 58146862 for Surety No. 116951, Frontier Insurance Company, in the amount of \$20,000; Albin Stromseth dba Stromseth Construction, Watertown, SD, Mine License No. 90-414, exchange CD Nos. 899319 and 1537006571 for Surety No. 5769123, Ohio Farmers Insurance Company, in the amount of \$20,000; Russell Wyatt, Hot Springs, SD, Mine License No. 89-386, exchange CD Nos. 12156 and 13762 for Surety No. 41-0130-24355-97-3, United States Fidelity & Guaranty Company, in the amount of \$10,000; Brohm Mining Corporation, Deadwood, SD, Mine Permit No. 439, exchange CD No. 375011746530 for CD No. 375011796097, First Bank, Rapid City, in the amount of \$1,230,876. Motion carried.

Motion by Blumhardt, seconded by Johnson, to accept the following surety riders: Allan Fodness, Lennox, SD, Mine License No. 83-203, accept rider removing legal descriptions of NW1/4 Section 20; T98N-R52W, Turner County and S1/2 SW1/4 Section 25, T99N-R53W, Turner County; Jerke Construction Company, Sioux Falls, SD, Mine License No. 86-322, accept rider removing legal description of SE1/4 SE 1/4 NE1/4 SE1/4 Section 16; T101N-R50W, Minnehaha County; Lien Transportation, Aberdeen, SD, Mine License No. 84-257, accept rider adding legal description of NE1/4 Section 13; T122N-R53W and SE1/4 Section 11; T122N-R53W, Day County. Motion carried.

Acceptance of Financial Assurance: Mr. Cepak presented the board with a copy of the Demand Note in the amount of \$50,000 submitted as proof of financial assurance from Dakota Mining Corporation for Brohm Mining Corporation. The \$50,000 Demand Note is to cover the

deductible for Brohm's insurance policy which was approved by the board as financial assurance at the January 1998 meeting.

Motion by Hilde, seconded by Johnson, to accept the Demand Note in the amount of \$50,000 submitted by Dakota Mining Corporation for financial assurance for Brohm Mining Corporation. Motion carried.

Gordon Olson Reclamation Surety Forfeiture: Mr. Cepak reported that Gordon Olson, Mission Hills, SD, was granted Mine License No. 88-367 on July 13, 1988. The department is holding one CD in the amount of \$500 with First National Bank, Pierre, SD, as reclamation surety.

Mr. Olson has one site located nine miles north northeast of Yankton South Dakota. This is a small site; .25 acres are disturbed at the site. Mr. Cepak stated that the site needs regrading, top soil application and revegetation. He noted that the department does not have any prospective contractors to do the reclamation work at this site. The landowner, Mr. Kaufman, may want to keep the site open for another operator.

Mr. Olson applied for Temporary Cessation, which was approved on August 25, 1994. The period of Temporary Cessation ended July 13, 1997. Mr. Olson did not request to extend the period of Temporary Cessation or to renew his license. Mr. Cepak reported that in a letter dated March 5, 1998, Mr. Olson signed a statement relinquishing the \$500 reclamation bond to the state for reclamation of the site.

Mr. Cepak stated that since Mr. Olson did not complete reclamation of its mining operation as required by SDCL 45-6-67.1 and Mr. Olson stated he is relinquishing the \$500 bond, the department recommended the board declare the Certificate of Deposit with First National Bank, Pierre, SD, in the amount of \$500, be forfeited. The department also recommended that proceeds from the CD be used by the department to reclaim the site in Yankton County and that the board authorize the transfer of the proceeds to the Mined Land Reclamation Fund until reclamation of the site is complete.

Motion by Healy, seconded by Blumhardt, to declare that Certificate of Deposit #62042 with First National Bank, Pierre, SD, in the amount of \$500 be forfeited for failure to perform reclamation as required by South Dakota statute and to authorize the transfer of the proceeds from the CD to the Mined Land Reclamation Fund until reclamation of the site is complete. Motion carried.

Winter Concrete Products Reclamation Surety Forfeiture: Mr. Cepak reported that Winter Concrete Products, Pipestone, MN, was granted Mine License No. 83-82 on April 19, 1983. The department is holding one CD in the amount of \$2,500 with First National Bank, Pierre, SD, as reclamation surety.

Winter Concrete has one site located six miles east of Flandreau, Moody County, on the Minnesota border. The landowner is Pleasant Valley Colony. Ten acres are disturbed at the site. Portions of the site need regrading, topsoil application, and revegetation. The colony has expressed a desire to do the reclamation work. Mr. Cepak noted that the \$2,500 will not cover the cost of reclamation at the site.

Winter Concrete's mine license was revoked on November 20, 1985, because it did not submit an annual report and failed to submit the \$100 renewal fee. Mr. Cepak stated that in a letter dated June 25, 1996, William A. Winter, Winter Concrete Products, requested that the department use the \$2,500 bond to reclaim the site.

Mr. Cepak stated that since Winter Concrete did not complete reclamation of the mining operation as required by SDCL 45-6-67.1 and Mr. Winter stated in writing he wished to relinquish the \$2,500 bond, the department recommended the board declare the Certificate of Deposit be forfeited. The department also recommended that proceeds from the CD be used by the department to reclaim the site in Moody County and that the board authorize the transfer of the proceeds from the CD to the Mined Land Reclamation Fund until reclamation of the site is complete.

Motion by McCahren, seconded by Healy, to declare that Certificate of Deposit #12804 with First National Bank, Pierre, SD, in the amount of \$2,500 be forfeited for failure to perform reclamation as required by South Dakota statute and to authorize the transfer of the proceeds from the CD to the Mined Land Reclamation Fund until reclamation of the site is complete. Motion carried.

OTHER ITEMS OF BUSINESS: Steve Pirner, Director of the Division of Environmental Services, provided an update on the 1998 legislative session. He discussed bills of interest to the board and department.

Election of Board Secretary: Motion by Healy, seconded by Blumhardt, to nominate Kathy Johnson for secretary of the Board of Minerals and Environment, and that a unanimous vote be cast. Motion carried.

Next Board Meeting: The next Board of Minerals and Environment meeting will be May 20, 21, and 22 (if needed). The board will hold a hearing on Wharf Resources' Clinton Expansion application.

ADJOURNMENT: Motion by Healy, seconded by Blumhardt, that the meeting be adjourned. Motion carried.

Secretary

Date

Witness

Date

BOARD OF MINERALS AND ENVIRONMENT MEETING

Date 4-16-98

REPRESENTING

5.0 Mining Assoc.

$$D \in \mathbb{N}^R$$

What

WHARF

DENIL

HMC

LAC Minerals

W HIRF

GOLDEN REWARD

Homesake

Homestake

Dieckmann

Brohm

Brhm

South Dakota Board of Minerals & Environment**April 16, 1998**

Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
Release of Liability & Surety:					
R A & S Contracting Company, Inc. Custer, SD	85-300	\$500	60314	First National Bank, Pierre	Release liability and \$500.
	NW1/4 Section 9; T5N-R16E, Pennington				
Transfer of Liability & Release of Surety:					
Blum, Inc. Osseo, MN	87-342	\$2,000	5365 6818	Transamerica Insurance Company	Transfer liability to Northern Con-Agg. Release \$2,000.
	NW1/4 SW1/4 Section 5; T8S-R2E, Fall River				
Transfer to:					
Northern Con-Agg, Inc. Plymouth, MN	87-359	\$20,000	5365 6884	Transamerica Insurance Company	
Transfer of Liability:					
Northern Con-Agg, Inc. Plymouth, MN	87-359	\$20,000	5365 6884	Transamerica Insurance Company	Transfer liability to Albin Stromseth.
	Gov. Lt. 1 in the SE1/4 and S1/2 NE1/4 Section 33; T117N-R52W, Codington				
Transfer to:					
Albin Stromseth dba Stromseth Construction Watertown, SD	90-414	\$20,000	5769123	Ohio Farmers Insurance Company	
Release of Liability:					
L. G. Everist, Inc. & Subsidiaries Sioux Falls, SD	83-37	\$20,000	41 S17664 BCA	The Aetna Casualty & Surety Company	Release liability.
	NW1/4 Section 23; T95N-R52W, Clay				

South Dakota Board of Minerals & Environment**April 16, 1998**

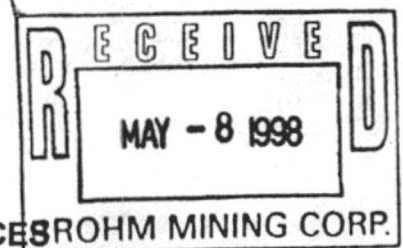
Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
Releases of Liability:					
Faber Construction Brookings, SD	83-106	\$2,500	1764	VanTol Surety Company	Release liability.
	NE1/4 Section 1; T106N-R50W, Moody				
Fisher Sand & Gravel Co. Dickinson, ND	83-54	\$20,000	0350-45-112425	Employers Insurance of Wausau a Mutual Company	Release liability.
	W1/2 Section 2; T112N-R76W, Hughes				
Morris, Inc. Pierre, SD	83-2	\$20,000	U 29-08-10	United Pacific Insurance Company	Release liability.
	S1/2 SW1/4 Section 27; T111N-R79W, Hughes				
DOT – Aberdeen Region Aberdeen, SD	83-10	EXEMPT	NA	NA	Release liability.
	North 1000' SW1/4 Section 26; T118N-R54W, Codington				
Haakon County Highway Department Philip, SD	83-40	EXEMPT	NA	NA	Release liability.
	E1/2 Section 19; T1N-R20E, Haakon SW1/4 Section 8; T1N-R23E, Haakon NE1/4 & N1/2 SE1/4 Section 9; T1N-R23E, Haakon				
Exchange of Surety:					
Donald Boyden dba Boyden Trucking Platte, SD	85-313	\$1,500	58146862	Western Surety Company	Exchange Surety No. 58146862 for Surety No. 116951, Frontier Insurance Company, in the amount of \$20,000.

South Dakota Board of Minerals & Environment**April 16, 1998**

Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
Exchanges of Surety:					
Albin Stromseth, dba Stromseth Construction Watertown, SD	90-414	\$5,000 \$5,000	899319 1537006571	Norwest Bank, Watertown Norwest Bank, Watertown	Exchange CD Nos. 899319 and 1537006571 for Surety No. 5769123, Ohio Farmers Insurance Company, in the amount of \$20,000.
Russell Wyatt Hot Springs, SD	89-386	\$500 \$500	12156 13762	Community First State Bank, Hot Springs	Exchange CD Nos. 12156 and 13762 for Surety No. 41-0130-24355-97-3, United States Fidelity & Guaranty Company, in the amount of \$10,000.
Brohm Mining Corp. Deadwood, SD	439	\$1,230,876	375011746530	First Bank, Rapid City	Exchange CD No. 375011746530 for CD No. 375011796097, First Bank, Rapid City, in the amount of \$1,230,876.
Acceptance of Surety Riders:					
Allan Fodness Lennox, SD	83-203	\$5,000	58249587	Western Surety Company	Accept rider removing legal descriptions of: NW1/4 Section 20; T98N-R52W, Turner and S1/2 SW1/4 Section 25; T99N-R53W, Turner
Jerke Construction Company Sioux Falls, SD	86-322	\$5,000	55161301	United Fire & Casualty Company	Accept rider removing legal description of: SE1/4 SE1/4 NE1/4 SE1/4 Section 16; T101N-R50W, Minnehaha.
Lien Transportation Aberdeen, SD	84-257	\$10,000	0350-13-130370	Employers Insurance of Wausau A Mutual Company	Accept rider adding legal description of: NE1/4 Section 13; T122N-R53W and SE1/4 Section 11; T122N-R53W, Day.

South Dakota Board of Minerals & Environment**April 16, 1998**

Operator	Permit	Surety	Surety No.	Surety Company	DENR Recommendation
Acceptance of Financial Assurance:					
Brohm Mining Corp. Deadwood, SD	439 & 462	\$50,000		Demand Note Based on Company Net Worth	Accept Demand Note in the amount of \$50,000 as deductible for Brohm's financial assurance insurance policy.
Surety Forfeitures:					
Gordon G. Olson Mission Hill, SD	88-367	\$500	62042	First National Bank, Pierre	
Winter Concrete Products Pipestone, MN	83-82	\$2,500	12804	First National Bank, Pierre	
International Rose Quartz & Minerals, Inc. Overland Park, KS	EXNI-338	\$3,500	020001091249	Bank IV, Lenexa, KS	



AGENDA

BOARD OF WATER AND NATURAL RESOURCES
Floyd Matthew Training Center
523 East Capitol
Pierre, SD
May 14, 1998

May 14, 1998

1:00 p.m. CDT

1. Call Meeting To Order
2. Approve Agenda
3. Approve Minutes of March 25-26, 1998 Meeting
4. Division Update - Dave Templeton
5. Water Development District/Major Project Updates

1:30 pm. CDT

6. Tyndall Consolidated Funding Application - Jim Feeney
7. West River/Lyman Jones SWRMS Loan Agreement - David Ryan
8. Lewis & Clark RWS SWRMS Grant Agreement - Laurie Gates
9. Drinking Water SRF Bond Counsel Contract - Lynne Chasing Hawk
10. Authorization of Drinking Water SRF Bond Issue - Lynne Chasing Hawk
11. Discussion of Loans and Coverage From Sales Tax Revenue - Lynne Chasing Hawk

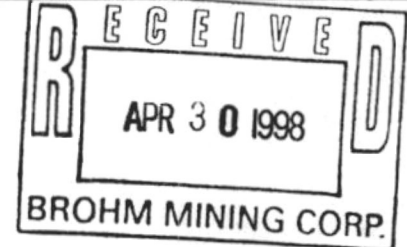
3:00 p.m. CDT

12. Total Maximum Daily Load (TMDL) Presentation - Tim Bjork
13. Valley Springs (01) Clean Water SRF Loan Application - Jim Wendte/Lynne Chasing Hawk
14. Madison (01) Drinking Water SRF Loan Application - Jim Wendte/Lynne Chasing Hawk

4:00 p.m. CDT

15. Sioux Falls Solid Waste Grant Amendment Request - Keith Gestring
16. Walworth Conservation District Consolidated Time Extension Request - Dave Ruhnke
17. Richmond Lake Consolidated Amendment Request - Jim Wendte
18. Solid Waste Loan Review Services Contract - Dave Ryan
19. Gregg Greenfield Travel Approval - Jim Feeney
20. Fall River Resolution of Support - Laurie Gates
21. Set BWNR Meeting Dates for SFY 1999 - Dave Ruhnke
22. Other Business
23. Adjourn

Revised 5/6/98



AGENDA

BOARD OF WATER AND NATURAL RESOURCES

Floyd Matthew Training Center

523 East Capitol

Pierre, SD

May 14, 1998

May 14, 1998

1:00 p.m. CDT

1. Call Meeting To Order
2. Approve Agenda
3. Approve Minutes of March 25-26, 1998 Meeting
4. Division Update - Dave Templeton
5. Water Development District/Major Project Updates

1:30 pm. CDT

6. Tyndall Consolidated Funding Application - Jim Feeney
7. West River/Lyman Jones SWRMS Loan Agreement - David Ryan
8. Lewis & Clark RWS SWRMS Grant Agreement - Laurie Gates
9. Drinking Water SRF Bond Counsel Contract - Lynne Chasing Hawk

2:30 p.m. CDT

10. Total Maximum Daily Load (TMDL) Presentation - Tim Bjork
11. Valley Springs (01) Clean Water SRF Loan Application - Jim Wendte/Lynne Chasing Hawk
12. Madison (01) Drinking Water SRF Loan Application - Jim Wendte/Lynne Chasing Hawk

3:30 p.m. CDT

13. Sioux Falls Solid Waste Grant Amendment Request - Keith Gestring
14. Walworth Conservation District Consolidated Time Extension Request - Dave Ruhnke
15. Richmond Lake Consolidated Amendment Request - Jim Wendte
16. Solid Waste Loan Review Services Contract - Dave Ryan
17. Gregg Greenfield Travel Approval - Jim Feeney
18. Fall River Resolution of Support - Laurie Gates
19. Set BWNR Meeting Dates for SFY 1999 - Dave Ruhnke
20. Other Business
21. Adjourn

Minutes of the
Board of Water and Natural Resources Meeting
Floyd Matthew Training Center
523 East Capitol Avenue
Pierre, South Dakota

March 25-26, 1998

MARCH 25, 1998 - 1:00 P.M. CST

CALL MEETING TO ORDER: The meeting was called to order by Chairman Steve Lowrie. A quorum was present.

BOARD MEMBERS PRESENT: Steve Lowrie, Dale Kennedy, Don Bollweg, Jerry Kleinsasser, Roger Larsen. Gregg Greenfield was present the second day of the meeting.

BOARD MEMBERS ABSENT: John Loucks.

OTHERS PRESENT: See attached attendance sheets.

APPROVE AGENDA: Jim Feeney pointed out additions and deletions to the agenda.

Motion by Kennedy, seconded by Kleinsasser, to approve the agenda, as amended. Motion carried.

APPROVE MINUTES OF FEBRUARY 19, 1998, TELEPHONE CONFERENCE CALL MEETING: Motion by Kennedy, seconded by Bollweg, to approve the minutes from the February 19, 1998, Board of Water and Natural Resources meeting. Motion carried.

STATE WATER FACILITIES PLAN APPLICATIONS: Water projects which will require state funding or need state support for categorical grant or loan funding need to be included on the State Water Facilities Plan. The Board of Water and Natural Resources establishes the plan annually at its November meeting. Projects arising during the year may be amended onto the plan quarterly.

Dave Ruhnke reported that the department received applications from six project sponsors requesting amendment onto the 1998 State Water Facilities Plan.

The town of Hermosa requested amendment onto the facilities plan for a municipal water system improvement project. The staff recommended amending the project onto the 1998 State Water Facilities Plan.

The city of Platte requested amendment onto the facilities plan for restoration of Lake Platte through the use of pond mills. The staff recommended denial of placement on the 1998 State Water Facilities Plan because a watershed assessment has not been completed.